

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- x
:
RICHARD MARCUS, :
Plaintiff, : No. 10-cv-01716 (ADS)(AKT)
v. :
OLGA DUFOUR, LAWRENCE HAAKER, DAVID :
HAAKER, SUZANNE PERLOTH, and LISA :
GOLDBERG, :
Defendants. :
:
----- :x

JASON P. CRISS declares pursuant to 28 U.S.C. § 1746:

1. I am an attorney duly admitted to practice in this Court. I am special counsel to the law firm of Covington & Burling LLP, counsel in this action to Defendant Olga Dufour. I submit this declaration to put the contents of documents before the Court in connection with Ms. Dufour's motion pursuant to Federal Rules of Civil Procedure 12(c) and 12(b)(6) for judgment on the pleadings or, in the alternative, to dismiss Defendants Lawrence Haaker, David Haaker, Suzanne Perloth, and Lisa Goldberg's (the "Haaker Defendants") cross-claim. This declaration is based on my personal knowledge and on my examination of documents in the possession of my law firm.

2. Attached as Exhibit 1 is a true and correct copy of Plaintiff Richard Marcus's Complaint for Statutory Interpleader in the above captioned action.

3. Attached as Exhibit 2 is a true and correct copy of the Haaker

Defendants' Answer and Cross-Claim in the above captioned action.

4. Attached as Exhibit 3 is a true and correct copy of Defendant Olga Dufour's Answer and Claim in Interpleader in the above captioned action.

5. Attached as Exhibit 4 is a true and correct copy of the Haaker Defendants' Response to Cross-Claims in the above captioned action.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 18th day of November, 2010, at New York, New York.

By: /s/ Jason P. Criss
Jason P. Criss

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----x
RICHARD MARCUS, :
: Plaintiff, :
: : No. 10-cv-01716 (ADS)(AKT)
v. :
OLGA DUFOUR, LAWRENCE HAAKER, DAVID :
HAAKER, SUZANNE PERLOTH, and LISA :
GOLDBERG, :
: Defendants. :
-----:x

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I electronically filed the foregoing document with the Clerk of the Court using CM/ECF on this 18th day of November, 2010. I also certify that the foregoing document is being served this day on all counsel of record registered to receive electronic Notices of Electronic Filing generated by CM/ECF.

By: /s/ Jason P. Criss
Jason P. Criss
The New York Times Building
620 Eighth Avenue
New York, NY 10018-1405
(212) 841-1000

To: Counsel of Record

George A. Xixis
Christopher H. Lindstrom
Nutter, McCennen & Fish, LLP
Seaport West
155 Seaport Boulevard

Boston, MA 02210
(617) 439-2746
Attorneys for Plaintiff Richard Marcus

Robert F. Brodegaard
Brodegaard & Simone LLC
110 East 59th Street
23rd Floor
New York, New York 10022
(212) 813-0620
*Attorney for Defendants Lawrence Haaker, David Haaker
Suzanne Perloth, and Lisa Goldberg*